

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

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**ORDER REGARDING DRAFT EVIDENCE PRESERVATION
ORDER (CASE NO. 16-CV-10444, DKT. 291-3)**

The Court has reviewed the draft evidence preservation order filed in *Carthan v. Snyder*, Case No. 16-cv-10444, and makes the following rulings with regard to the disputed proposed content of the order.

- 1) The Court accepts the plaintiffs' proposed language on page 2 regarding the extension of the parties' respective document preservation obligations.
- 2) The Court rejects the defendants' proposed language on pages 2 and 3 regarding parties who know or reasonably should know they are likely to become parties to Flint Water litigation.
- 3) The Court rejects the defendants' proposed language on page 3 and 4 regarding the inapplicability of the evidence preservation order to parties that have moved to dismiss all claims against them based on alleged lack of personal jurisdiction.

- 4) The Court accepts plaintiffs' proposed example language and rejects defendants' proposed example language on page 8.
- 5) The Court wishes to further discuss footnotes 2 and 3 with the parties at the January 11, 2018 status conference, particularly with regard to specific examples of samples sent out for testing and not returned.
- 6) The Court accepts the proposed examples on page 10.

The parties will draft a stipulated version of this order following the January 11, 2018 status conference, after the Court has ruled on the two footnotes set forth in ruling 5 above.

IT IS SO ORDERED.

Dated: January 2, 2018
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 2, 2018.

s/Shawna Burns
SHAWNA BURNS
Case Manager